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Office of Personnel Services and Benefits

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March 24, 2003

MEMORANDUM

TO: Personnel Directors

FROM: Andrea M. Fulton *AMF*
Executive Director, Office of Personnel Services and Benefits

SUBJECT: Contractual Employees-Payment for Jury Duty

During the Legislative Session, legislation was introduced that would grant contractual employees leave with pay for serving on a jury. Currently contractual employees who are selected to serve on a jury lose wages for their days of service. Since individuals selected for Jury Duty have no opportunity to decline participation, the Personnel Subcommittee of the House Appropriations Committee believed that the State should pay contractual employees for jury service. In researching the bill, it was determined that the statute did not need to be amended and that the State could simply revise employees' contracts to include payment for jury service.

The purpose of this memorandum is to inform all Executive Branch departments that contractual employees shall receive their regular hourly rate of pay for jury service under specific circumstances. Attached are copies of the contract language that will be necessary for implementing this change. Existing contracts shall be amended with the attached language and agencies will use the revised standard contract for new contracts after this date.

This process mirrors the regulations for State employees. The employee may receive their regular hourly rate of pay for jury service when the employee receives a notice for jury service and only when the employee's jury service occurs on the employee's scheduled workday. If, after reporting for jury duty, the employee is dismissed for the day, the employee shall return to work if time permits. Payment will be prorated based on the employee's percentage of employment. An individual employed less than 50 percent of the workweek will not receive payment for jury service. An employee who is selected for jury service shall notify the appointing authority without delay. The contractual employee must produce a copy of the jury notice and must indicate this absence on the timesheet as appropriate.

Agencies should begin this new procedure on July 1, 2003. If there are any questions concerning this matter, please feel free to contact me or Judy Slater, Director of Management and Personnel Services, at 410-767-4715.

cc: Cecilia Januszkiewicz